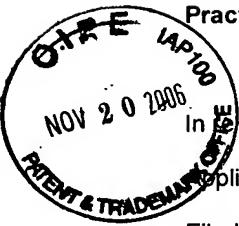


Practitioner's Docket No. CWR-7784PCT/US**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Stanton L. Gerson et al.

Application No. 10/505,400 Group No. 1614

Filed: August 19, 2004 Examiner: TBD

For: **ALKYLATING AGENT COMBINATIONS  
IN THE TREATMENT OF CANCER**

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**CERTIFICATE OF MAILING**Date of Deposit November 16, 2006

I hereby certify that the following *attached* papers and/or fees are being deposited with the United States Postal Service on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. An executed Power of Attorney to Prosecute Applications Before the USPTO (PTO-Form PTO/SB/80) (1 pg.)
2. An executed Statement Under 37 CFR 3.73(b) (PTO-Form PTO/SB/96) (1 pg.); and
3. A copy of the executed Assignment

Date

November 16, 2006

Janet A. Sherrill  
(type or print name of person signing certificate)

Signature

NOTE: The label number need not be placed on each page. It should however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail". Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number may be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.

NOV. 20 2006

PTO/SB/96 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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### STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Stanton L. Gerson, et al.

Application No./Patent No.: 10/505,400

Filed/Issue Date: 19 August 2004

Entitled: ALKYLATING AGENT COMBINATIONS IN THE TREATMENT OF CANCER

CASE WESTERN RESERVE UNIVERSITY, a

UNIVERSITY

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

*11-16-06*

Signature

Richard A. Sukus

Date

(216) 621-2234

Printed or Typed Name

Agent, Reg. No. 43,941

Title

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



NOV 20 2006

PTO/SB/80 (01-06)

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## POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

Practitioners associated with the Customer Number: 26,294

OR

Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

The address associated with Customer Number: 26,294

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

Assignee Name and Address:

Case Western Reserve University  
10900 Euclid Avenue  
Cleveland, OH 44106

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

## SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee.

Signature		Date	11/14/06
Name	Joseph Jankowski	Telephone	(216) 368-6124
Title	Assistant Vice President, Technology Transfer Office		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## ASSIGNMENT

WHEREAS, we, Stanton L. Gerson and Lili Liu of Hunting Valley, County of Cuyahoga, State of Ohio; and of Northfield, County of Summit, and State of Northfield respectively, have made new and useful improvements in **ALKYLATING AGENT COMBINATIONS IN THE TREATMENT OF CANCER**; for which application for Letters Patent of the United States has been filed on August 19, 2004, under Serial No. 10/505,400; and

WHEREAS, Case Western Reserve University, a tax-exempt nonprofit organization duly organized and existing under the laws of the State of Ohio, having a place of business at Cleveland, County of Cuyahoga, State of Ohio, is desirous of acquiring the entire right, title and interest in and to the said improvements and all patents therefor to be obtained in the United States of America and countries foreign to the United States;

NOW THEREFORE, BE IT KNOWN that for valuable considerations to us paid, the receipt whereof is hereby acknowledged, we the said Stanton L. Gerson and Lili Liu do hereby assign, sell and set over unto the said Case Western Reserve University, its successors or assigns, the entire right, title and interest in and to the said improvements and any and all inventions pertaining thereto, said application Serial No. 10/505,400, for the United States patent, all patents granted therefor in the United States of America and elsewhere, and the right to apply for patents therefor in all countries foreign to the United States and to claim for such applications the priority of United States applications, and we hereby request the Commissioner of Patents of the United States, and any official of any country or countries foreign to the United States whose duty it is to issue patents, to issue such patents to the said Case Western Reserve University, its successors or assigns; and we further agree to execute such other applications and other instruments and do all other acts as may be deemed necessary by the said Case Western Reserve University, its successors or assigns in order to fully secure, protect and preserve its rights to the said improvements and to obtain patents therefor in the United States of America and all countries foreign to the United States, all without further consideration but at the expense of the said Case Western Reserve University, its successors or assigns.

Signed at  
County of \_\_\_\_\_ and State of \_\_\_\_\_  
This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

STATE OF Ohio )  
COUNTY OF Cuyahoga )  
On this 6<sup>th</sup> day of October, 2006

Personally appeared before me Stanton L. Gerson to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and the purposes therein mentioned.

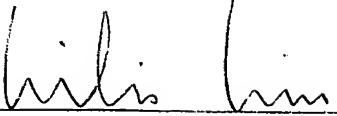
\_\_\_\_\_  
Notary Public      GALE ALLORE  
Notary Public, State of Ohio  
Recorded in Cuyahoga City.  
My Comm. Expires 3-15-2011

Signed at  
County of  
This

day of

and State of

, 20

  
Lili Liu

STATE OF

Ohio

)  
)

COUNTY OF

Cuyahoga

)  
6<sup>th</sup>

On this

day of October , 20 06

Personally appeared before me Lili Liu to me known to be the person named in and who executed the above instrument, and acknowledged to me that she executed the same for the uses and the purposes therein mentioned.

Notary Public

  
GALE ALLORE

Notary Public, State of Ohio  
Recorded in Cuyahoga Cty.  
My Comm. Expires 3-15-2011